

AG Denn Joins Coalition In Fight Against EPA's "Unlawful" Proposed Replacement For Clean Power Plan

Delaware Attorney General Matt Denn, along with a group of 26 states, counties, and cities, has formally objected on behalf of Delaware to the Environmental Protection Agency's plan to reverse the country's Clean Power Plan. The Clean Power Plan, put in place by the EPA under President Obama, is the first nationwide limit on climate change pollution from existing fossil-fueled power plans.

The Clean Power Plan is the culmination of a decade-long effort by partnering states and cities to require mandatory cuts in the emissions of climate change pollution from fossil fuel-burning power plants under the Clean Air Act. In its comments (found at https://ag.ny.gov/sites/default/files/cpp_replacement_comments.pdf), the coalition of states and municipalities stresses the overwhelming scientific evidence of human-induced climate change and its increasing impacts, and the corresponding need for the EPA to perform its duty under the Clean Air Act to set nationwide limits on power plant emissions of climate change pollution.

"The replacement rule proposed by President Trump's EPA turns its back on the success of Delaware and other states in reducing carbon pollution from power plants, and instead will uncork the power plants' smokestacks and let them put more pollution in our air," Attorney General Denn said. "Plus, the proposed rule contains factual inaccuracies, analytical

errors, and legal flaws, and as a result would be unlawful if adopted.”

The EPA’s own analysis predicts that, compared to the Clean Power Plan, the so-called “Affordable Clean Energy” Rule could result in over 60 million tons more climate change pollution.

The comments were spearheaded by the attorney general of New York submitted on behalf of the attorneys general from Delaware California, Connecticut, Illinois, Iowa, Maine, Maryland, Massachusetts, Minnesota (by and through its Minnesota Pollution Control Agency), New Mexico, North Carolina, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia, Washington, and the District of Columbia, as well as the cities of Boulder (CO), Chicago, Los Angeles, New York, Philadelphia, and South Miami (FL), and Broward County (FL).